

Application No. 10/821,788

REMARKS

Claims 1-12 and 14 are pending. By this Amendment, no claims are cancelled, claims 1 and 14 are amended and new claims 16-28 are added.

This Preliminary Amendment is filed along with a Request for Continued Examination in the present case.

By this Amendment, applicant has amended claim 1 to recite the limitation "and wherein the first partial optics have a first optical axis and the second partial optics have a second optical axis and wherein the first optical axis is substantially laterally displaced from and substantially parallel to the second optical axis and the diffractive optical unit of the first partial optics deflects light to the diffractive optical unit of the second partial optics." Support for this Amendment may be found throughout the application, for example, in Fig. 1. Applicant has also amended claim 14 to depend from claim 1. Claim 14 previously depended from claim 13, which has been cancelled from the application. Applicant has also added new claims 16-28. Claim 16 recites the limitation "further wherein the first partial optics directs light to the second partial optics where the light is reflected and diffracted only from the curved material interface facing the user's eye to be directed to the user's eye." Support for this limitation may be found throughout the specification, for example, in Fig. 1. This structure of the present invention allows the present invention to be simpler and lighter in weight than prior art head-mounted display devices.

35 U.S.C. § 103

The Examiner rejected claims 1 and 4-12 under 35 U.S.C. § 103(a) as being unpatentable over Roberts in view of Tanijiri. As discussed above, claim 1 has been amended to recite the

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above-referenced limitations. These limitations are not disclosed, taught or suggested in either the Roberts or Tanijiri references. Therefore, claim 1, as amended, should be patentable over the Roberts and Tanijiri references. Applicant respectfully requests that the Examiner withdraw the rejection. Claims 2-12 and 14 depend from claim 1 and should be patentable for at least the same reasons as discussed above with relation to claim 1. Applicant respectfully requests that the Examiner withdraw the rejection.

The Office Action rejected claims 1-3 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Popovich in view of Tanijiri. As discussed above, applicant has amended claim 1. Claim 1, as amended, now includes limitations which, along with the other limitations previous in claim 1, are neither taught nor suggested by the Popovich or Tanijiri reference. Therefore, claim 1, as amended, should be patentable over Popovich in view of Tanijiri. Applicant respectfully requests the Examiner withdraw the rejection. Claims 2-12 and 14 depend from claim 1 and should be patentable for at least the same reasons as claim 1.

Applicant has added new claim 16 to the application. Claim 16 recites, among other limitations, "the first partial optics directs light to the second partial optics where the light is reflected and diffracted only from the curved material interface facing the user's eye to be directed to the user's eye." These limitations, along with the other limitations recited in claim 16, are not taught or suggested by the prior art. Therefore, new claim 16 should be patentable over the prior art of record in the application. Claims 17-28 depend from claim 16 and should be patentable for at least the same reasons discussed above with relation to claim 16.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

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The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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